

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY JE D.C.

05 JUN 27 PM 4:03

ROBERT R. DIETRICH
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W.D. OF TN, MEMPHIS

ALLISON DEVANTE and
JOREAL DEVANTE,

Plaintiff,

vs.

No. 04-2700 BV

LES BROWNLEE, SECRETARY OF THE
UNITED STATES ARMY,

Defendant.

ORDER GRANTING DEFENDANT'S MOTION TO STAY DISCOVERY

Before the court is the May 26, 2005 motion of the defendant, Les Brownlee, Secretary of the United States Army, for an order granting his motion to stay discovery pending resolution of the Defendant Secretary's Motion to Dismiss, Doc. No. 11. The motion has been referred to the United States Magistrate Judge for determination. For the following reasons, the motion is granted.

Pursuant to Local Rule 7.2(a)(2), responses to motions in civil cases are to be filed within fifteen days after service of the motion. The plaintiffs, Allison Devante and Joreal Devante, have not filed a response to this motion, and the time for responding has now expired.

Rule 7.2(a)(2) further provides that "[f]ailure to respond timely to any motion, other than one for requesting dismissal of a

claim or action, may be deemed good grounds for granting the motion." In the absence of any response by the plaintiffs, Brownlee's motion to stay discovery pending resolution of his motion to dismiss is granted.

IT IS SO ORDERED this 27th day of June, 2005.



DIANE K. VESCOVO
UNITED STATES MAGISTRATE JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 16 in case 2:04-CV-02700 was distributed by fax, mail, or direct printing on June 28, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT